

JAMES J. SMEDLEY
ATTORNEY AT LAW
30 NORTH MAIN STREET, SUITE 5
HEBER CITY, UTAH 84032
TELEPHONE 654-1031

March 24, 1986

L.R. Jackson
City Councilman
Heber City Offices
37 East 100 North
Heber City, Utah 84032

Re: Monument at the Southeast Corner
of the Old Fort

Dear Mr. Jackson:

I do not perceive any significant risk in allowing the Sons of the Pioneers to place the stone. You do, of course, have insurance coverage.

The city council may regulate the use of streets and sidewalks. Its primary concern would be to minimize any hazard that might exist with respect to the flow of traffic.

First, you would not want to create a blind spot for those approaching the intersection from the north so as to obstruct their view of an east bound vehicle and visa versa. I met with Dr. Green and he indicated that the stone could be recessed into the ground to the extent necessary to avoid this problem.

A second concern would be injuries that might occur from a vehicle striking the rock. If this were a high speed area, then I would discourage the placement of a stone of that size in that location. However, this is a residential location with a 25 mile an hour speed limit. The suggested place of location seems to be well off the traveled portion of the road. There are other obstructions such as telephone poles that create comparable hazards that are allowed to exist.

I would suggest that you review the matter with your road department and get their input. If they have no objection, then I see no legal reason not to accommodate. It appears to be an appropriate project.

JAMES J. SMEDLEY
ATTORNEY AT LAW
30 NORTH MAIN STREET, SUITE 5
HEBER CITY, UTAH 84032
TELEPHONE 654-1031

March 24, 1986

L.R. Jackson
City Councilman
Heber City Offices
37 East 100 North
Heber City, Utah 84032

Re: High School Rodeo

Dear Mr. Jackson:

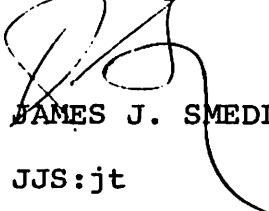
It is my understanding that the county will allow the parking of the horse trailers in the gravel parking area north of the race track and in the paved parking area southeast of the rodeo grounds, but not on the race track itself. The industrial park area would be used for overflow.

I see no significant problem in permitting such a use where it is of a very limited duration.

You will, of course, get a certain amount of littering. Also, it might increase the risks of vandalism. For these reasons, I would contact your tenants to make sure they have no serious objections.

Hold harmless clauses might help, but they are hard to enforce against a group that has no funds and who do not directly profit from the event.

Sincerely,

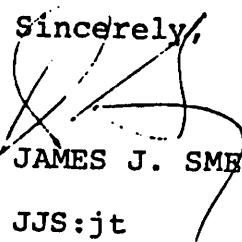

JAMES J. SMEDLEY

JJS:jt

I understand Dr. Green will be contacting the property owner who resides out of state.

There is a possibility that the owner might even allow the stone to be placed in the southeast corner of the lot. This was not discussed, but I think it would be a better location. It might even complement the property.

Sincerely,


JAMES J. SMEDLEY

JJS:jt

Mon. 30 Mar 1986

Dr. Green met ^{Mayor} in Gordon Mendenhall this am.
and